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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,178

07/08/2008

Roberto Fenati

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WENDEROTH, LIND & PONACK, L.L.P.

1030 15th Street, N.W.,

Suite 400 East

Washington, DC 20005-1503

EXAMINER

LOWE, MICHAEL S

ART UNIT

PAPER NUMBER

3652

NOTIFICATION DATE

DELIVERY MODE

12/29/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ddalecki@wenderoth.com

coa@wenderoth.com

Office Action Summary	Application No.	Applicant(s)	
	10/573,178	FENATI, ROBERTO	
	Examiner	Art Unit	
	Michael Scott Lowe	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Drafts, Person's Patent Drawing, Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/23/06</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1(& thus 2-20),4,5,10-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 1, line 2 should state something like "slidable" rather than "is" to make it clear this is not a method limitation, otherwise the claim is indefinite.

Re claims 4,5,10-19, the "external section bar", "external edge", and "greater sides" lack antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,6,8,20, are rejected under 35 U.S.C. 102(b) as being anticipated by Lowe (US 2,892,556).

Re claim 1, Lowe teaches a caisson (generally 10) for the transport of goods comprising a flatbed (generally 7) extractable from said caisson; said flatbed (generally 13) is sliding along the bottom internal surface of said caisson (generally 11a); characterized in that said flatbed comprises at least one first pair of resting feet

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(generally 19,48), hinged in said flatbed in the vicinity of one of its ends, having a first horizontal rest position folded inside of said flatbed and a second vertical working position, capable to sustain said flatbed when said flatbed is extracted from said caisson.

Re claim 2, Lowe teaches said at least one first pair of resting feet (15) is provided with wheels (generally 20,53).

Re claim 6,20, Lowe teaches said flatbed comprises at least one second pair of resting feet (generally 15,43,44,45) with smaller dimensions than said at least one first pair of resting feet.

Re claim 8, Lowe teaches said flatbed comprises a plurality of wheels (generally 15,20,43,44,45,53) and said caisson comprises one base (see figures) on which at least one guide (generally 33,36,etc.) is placed which is suitable to guide the sliding of said plurality of wheels.

Claim Rejections - 35 USC § 102/103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3,4,7,9-12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lowe (US 2,892,556) in view of Sonnamaker (US 6,357,986).

Re claims 3,4,9-12, Lowe teaches said at least one first pair of resting feet comprises telescopic tubes adjustable in height but does not mention locking pins. Sonnamaker teaches using telescoping tubes with locking pins (generally 62) in order to securely hold the feet at a desired height. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have tried modifying Lowe by Sonnamaker to have telescopic tubes with locking pins as desired in order to achieve the predictable result of securely holding the feet at a desired height.

Re claim 7, Sonnamaker (see figures) teaches pairs of plates with pins matching with pairs of plates with holes in order to attach items together. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have tried modifying Lowe by Sonnamaker to have any combinations of plates with pins and holes in order to achieve the predictable result of attaching items together.

Claims 5,13, are rejected under 35 U.S.C. 102(b)/103(a) as being unpatentable over Lowe (US 2,892,556) as well as Lowe (US 2,892,556) in view of Felburn (US 4,453,761).

Re claims 5,13, Lowe teaches guides that side walls can slide vertically on as broadly claimed. To speed prosecution it is noted that Felburn teaches guides (generally 14.1 or 11) placed on the external edge of the greater sides of a flatbed on which side walls (generally 12) can slide vertically in order allow easier access and assembly. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have tried modifying Lowe by Felburn to have guides placed on

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the external edge of the greater sides of a flatbed on which side walls can slide vertically in order allow easier access and assembly.

Claim 7 is rejected under 35 U.S.C. 102(b)/103(a) as being unpatentable over Lowe (US 2,892,556) in view of Smith (US 6,935,829).

Re claim 7, Smith (see figures) teaches pairs of plates with pins matching with pairs of plates with holes in order to attach items together. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have tried modifying Lowe by Smith to have any combinations of plates with pins and holes in order to achieve the predictable result of attaching items together.

Claims 14-19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lowe (US 2,892,556) in view of Sonnamaker (US 6,357,986) and Felburn (US 4,453,761).

Re claims 14-19, Lowe teaches guides that side walls can slide vertically on as broadly claimed. To speed prosecution it is noted that Felburn teaches guides (generally 14.1 or 11) placed on the external edge of the greater sides of a flatbed on which side walls (generally 12) can slide vertically in order allow easier access and assembly. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have tried modifying Lowe by Felburn to have guides placed on the external edge of the greater sides of a flatbed on which side walls can slide vertically in order allow easier access and assembly.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Scott Lowe whose telephone number is (571)272-6929. The examiner can normally be reached on 6:30am-4:30pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on (571)272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Scott Lowe/
Primary Examiner, Art Unit 3652